

Misbranding of the article was alleged in the information for the reason that it was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On October 1, 1923, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25.

C. F. MARVIN, *Acting Secretary of Agriculture.*

11967. Misbranding of peaches. U. S. v. Albert J. Evans and Samuel B. Hungerford (Hungerford & Evans). Pleas of guilty. Fine, \$25. (F. & D. No. 15578. I. S. Nos. 120-t, 122-t, 123-t.)

On February 9, 1922, the United States attorney for the Southern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Albert J. Evans and Samuel B. Hungerford, copartners, trading as Hungerford & Evans, Gray, Ga., alleging shipment by said defendants, in violation of the Food and Drugs Act, as amended, in various consignments, namely, on or about May 21 and 26, 1921, respectively, from the State of Georgia into the State of Illinois, of quantities of peaches in crates which were misbranded.

Misbranding of the article was alleged in the information for the reason that it was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On October 1, 1923, the defendants entered pleas of guilty to the information, and the court imposed fines in the aggregate sum of \$25.

C. F. MARVIN, *Acting Secretary of Agriculture.*

11968. Misbranding of peaches. U. S. v. Standard Growers Exchange, a Corporation. Pleas of guilty. Fine, \$50. (F. & D. Nos. 13181, 16224. I. S. Nos. 7591-r, 653-t, 667-t.)

On June 27, 1922, the United States attorney for the Southern District of Georgia, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district informations against the Standard Growers Exchange, a corporation, trading at Macon, Ga., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, in various consignments, namely, on or about July 11, 1919, and May 18 and June 28, 1921, respectively, from the State of Georgia into the State of Illinois, of quantities of peaches in baskets which were misbranded.

Misbranding of the article was alleged in the informations for the reason that it was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On October 10, 1923, pleas of guilty to the informations were entered on behalf of the defendant company, and the court imposed fines in the aggregate sum of \$50.

C. F. MARVIN, *Acting Secretary of Agriculture.*

11969. Adulteration and misbranding of olive oil. U. S. v. Samuel Hochheisser and Louis Weisberg (Bay Bee Oil Co.). Pleas of guilty. Fine, \$100. (F. & D. No. 17526. I. S. Nos. 15555-t, 15610-t, 15611-t, 15612-t, 15613-t, 15614-t, 15615-t, 15619-t, 15620-t.)

At the October, 1923, term of the United States District Court within and for the Southern District of New York, the United States attorney for said district, acting upon a report by the Secretary of Agriculture, filed in the district court aforesaid an information against Samuel Hochheisser and Louis Weisberg, copartners, trading as the Bay Bee Oil Co., New York, N. Y., alleging shipment by said defendants, in violation of the Food and Drugs Act, as amended, in various consignments, namely, on or about October 5, 1921, January 7, January 16, February 6, and March 18, 1922, respectively, from the State of New York into the State of New Jersey, and on or about January 26, 1922, from the State of New York into the State of Connecticut, of quantities of olive oil which was misbranded and quantities of alleged olive oil which was adulterated and misbranded. The olive oil was labeled in part: "Extra Sublime Pure Imported Olive Oil Blue Star Brand * * * One Gallon" (or "Half Gallon" or "Quarter Gallon") "* * * Bay Bee Oil Company Importers & Packers Lucca, Italy. New York U. S. A." Some of the alleged gallon cans were further labeled, "7½ Lbs. Net Or 0.98 Of One Gallon," and some of the alleged half-gallon cans were further labeled, "3¾ Lbs. Net Or 0.98 Of Half Gallon." The Cob brand oil was labeled in part: "Olio Sopraffino Per Insalata 'Cob'